

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI,

Plaintiff,

SUMMONS IN A CIVIL
ACTION

-against-

CV-09 2419

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA,
DOUG TRANDIAK, DAN DMYTRYCK, PAUL
VOHRINGER, and JIM KIRK,

Defendants.

WEXLER, J.

ORENSTEIN, M.

To the Above-Named Defendants:

UNITED PARCEL SERVICE, INC.
CORPORATION TRUST CENTER
1209 ORANGE STREET
WILMINGTON, DELAWARE

You are hereby summoned and required to serve upon GENEVIEVE LANE LOPRESTI, ESQ., Attorney at Law, whose address is 219 Mineola Blvd, Suite 2, Mineola, New York, 11501, plaintiff's attorneys, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded within the complaint.

ROBERT C. HEINEMANN
CLERK OF THE COURT


BY DEPUTY CLERK

Dated: Mineola, New York
June 5, 2009

JUN 08 2009

STATE OF NEW YORK

EASTERN NEW YORK COUNTY

U. S. DISTRICT COURT

DOCUMENTS SERVED WITH INDEX # CV-09 2419 AND FILED ON June 8, 2009

ATTORNEY(S):

Guido Magnoni

vs

Doug Trandiak C/O United Parcel Service, Inc., Dave Mazzola, Doug Trandiak, et al

STATE OF NEW YORK
COUNTY OF FULTON) SS
)

AFFIDAVIT OF SERVICE

Gerald Skinner being duly sworn deposes and says: Deponent is not a party herein, is over 18 years of age and resides at Caroga Lake, NY On July 1, 2009 at 3:24PM, at 80 State St., Albany, NY 12207 deponent served the within Summons in a Civil Action and Complaint

ON: United Parcel Service, Inc., C/O Corporation Service Company, Defendant (herein called recipient) therein named.

#1 INDIVIDUAL ☐ By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.

#2 CORPORATION A ☒ NYS Agency corporation, by delivering thereat a true copy of each to Steve Pastore personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be Service of Process - Authorized thereof.

Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person, including an effort to reach the defendant by telephone, (if such telephone number was available) and an attempt to locate the defendant's place of employment.

#3 SUITABLE AGE PERSON ☐ By delivering a true copy of each to ☐ a person of suitable age and discretion. Said premises is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

#4 AFFIXING TO DOOR ☐ By affixing a true copy of each to the door of said premises, which is recipient's ☐ actual place of business ☐ dwelling house (usual place of abode) within the state.

#5 MAILING COPY ☐ On ☐ , deponent completed service under the last two sections by depositing a copy of the to the above address in a First Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of New York. Certified Mail No.

Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the ☐ day of ☐ at ☐ on the ☐ day of ☐ at ☐ on the ☐ day of ☐ at ☐ on the ☐ day of ☐ at ☐

#6 NON-SERVICE ☐ After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: ☐ Unknown Address ☐ Evading ☐ Moved left no forwarding ☐ Address does not exist ☐ Other ☐

#7 DESCRIPTION ☒ A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex Male Color of skin White Color of hair Salt/Pep Approx. Age 51 - 65 Yrs. Approx. Height 5' 4" - 5' 8"
Approx. weight 161 - 200 Lbs. Other ☐

#8 WIT. FEES \$ ☐ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

#9 MILITARY SERVICE ☐ Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or on active duty in the military service in the State of New York and was informed ☐ was not.

Sworn to before me on this 1st day of July, 2009

Tammy Skinner
TAMMY SKINNER

NOTARY PUBLIC, State of New York
No. 01SK8024054, Fulton County
Term Expires May 03, 2011

Gerald Skinner
Gerald Skinner

Invoice-Work Order # 062409

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI,

Plaintiff,

SUMMONS IN A CIVIL
ACTION

-against-

CV-09 2419

WEXLER, J.

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA,
DOUG TRANDIAK, DAN DMYTRYCK, PAUL
VOHRINGER, and JIM KIRK,

Defendants.
_____X

ORENSTEIN, M.

To the Above-Named Defendants:

DAVE MAZZOLA
C/O UPS
300 OAK STREET
UNIONDALE, NEW YORK

You are hereby summoned and required to serve upon GENEVIEVE LANE LOPRESTI, ESQ., Attorney at Law, whose address is 219 Mineola Blvd, Suite 2, Mineola, New York, 11501, plaintiff's attorneys, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded within the complaint.

ROBERT C. HEINEMANN

CLERK OF THE COURT



BY DEPUTY CLERK

Dated: Mineola, New York

June 5, 2009

JUN 08 2009

U.S. DISTRICT COURT, EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI

Petitioner(s)
Plaintiff(s)

Against

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA, DOUG TRANDIAK,
DAN DMYTRYCK, PAUL VOHRINGER, and JIM KIRK.Defendant(s)
Respondent(s)Attorney: Genevieve L. Lopresti, Esq.
Return Date:
Index #: CV-09 2419
Assigned Justice: Wexler/Orenstein
Address of Attorney:
219 MINEOLA BLVD.-STE # 2
MINEOLA, N.Y. 11501
516-741-1211STATE OF NEW YORK: COUNTY OF SUFFOLK ss: LAWRENCE GALINA, THE UNDERSIGNED DEPONENT
BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF
EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.That on JUNE 26TH, 20 09 at 3:45 P.M. at 300 OAK STREET, UNIONDALE, N.Y. 11553 deponent served the
within Cover Sheet, Arbitration Certificate, Summons in a Civil Case & Complaint on DAVE MAZZOLA witness /
defendant/ respondent/ therein named.

INDIVIDUAL

A ☐ By personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ.
(A fee of \$ _____ pursuant to CPLR Section 8001 was tendered to the witness.)

CORPORATION

B ☐ By delivering to and leaving with _____ and that he knew the person so served to be the Managing Agent
of the Corporation, and authorized to accept service. (A fee of \$ _____ pursuant to CPLR Section 8001 was tendered to the witness.)

Service was made in the following manner after your deponent was unable with due diligence to serve the witness/defendant/respondent in person.

SUITABLE AGE PERSON

C ☒ By delivering a true copy thereof to and leaving with "John Doe" Refused to give Name, a person of suitable age and discretion, the said premises being
the witnesses/defendants/respondents (dwelling place), (usual place of abode), (place of business) within the State of New York. (A fee of \$ _____ pursuant
to CPLR Section 8001, was tendered to the witness.)

AFFIXING TO DOOR, ETC.

D ☐ By affixing a true copy thereof to the door of said premises, the same being the witnesses/defendants/respondents (dwelling place) (usual place of abode)(place
of business) within the State of New York. (A fee of \$ _____ pursuant to CPLR Section 8001, was tendered to the witness.)

MAILING (USE WITH 'C' OR 'D')

E ☒ On JUNE 29TH, 20 09 Deponent completed said service under the last two sections by mailing a copy of the above named Process by First Class
Mail addressed to the witness/defendant/respondent to the above address of service which is witness'/ defendant's/respondent's:

- ☐ Last known residence
☒ Last known place of business (additional endorsement of Personal and Confidential on face of envelope)
☐ RPA1.P 735 An additional mailing by Certified Mail was made to the respondent at the premises sought to be recovered
☒ Sent Certificate of Mailing (PS form 3817, Mar., 1989)

PREVIOUS ATTEMPTS (USE WITH 'D')

F ☐ Deponent previously attempted to serve the above named witness/defendant/respondent on the following dates and times:

DRL SEC 232 [VOID WITHOUT DESCRIPTION (USE WITH 'A', 'B' & 'C')]

G ☐ The required notice was legibly printed on the face of the summons. I identified the defendant by a photograph annexed hereto which was provided by the
Plaintiff.

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

- | | | | | | | |
|--|--|--|-------------------------------------|---|---|---|
| <input checked="" type="checkbox"/> Male | <input checked="" type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair | <input type="checkbox"/> Red Hair | <input type="checkbox"/> 14-20 Yrs | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs |
| <input type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input checked="" type="checkbox"/> Brown Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 21-35 Yrs | <input type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100-130 Lbs |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blond Hair | <input type="checkbox"/> Balding | <input checked="" type="checkbox"/> 36-50 Yrs | <input type="checkbox"/> 5'4" - 5'8" | <input type="checkbox"/> 131-160 Lbs |
| <input type="checkbox"/> Glasses | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Moustache | <input type="checkbox"/> 51-65 Yrs | <input checked="" type="checkbox"/> 5'9" - 6'0" | <input checked="" type="checkbox"/> 161-200 Lbs |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Auburn Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> Over 65 Yrs | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs |

Other Identifying Features:

Deponent asked the person spoken to whether the subject was presently in the military service of the United States Government or on active duty in the military service in the State
of New York and was informed he/she was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as
defendant/respondent/witness therein. Your deponent is over the age of 18 years and is not a party to this action.

Sworn before me this 29th day of June, 2009

Loretta M. Galina, Notary Public, State of N.Y.

No. 01GA5045422, Qualified in Suffolk County

Term Expires June 19, 2011

Please print name below signature

LAWRENCE GALINA

License No. 918909

U.S. DISTRICT COURT, EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI

Petitioner(s)
Plaintiff(s)Against
UNITED PARCEL SERVICE, INC., DAVE MAZZOLA, DOUG TRANDIAK,
DAN DMYTRYCK, PAUL VOHRINGER, and JIM KIRK.Defendant(s)
Respondent(s)Attorney: Genevieve L. Lopresti, Esq.
Return Date:
Index #: CV-09 2419
Assigned Justice: Wexler/Orenstein
Address of Attorney:
219 MINEOLA BLVD.-STE # 2
MINEOLA, N.Y. 11501
516-741-1211STATE OF NEW YORK: COUNTY OF SUFFOLK ss: LAWRENCE GALINA, THE UNDERSIGNED DEPONENT
BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF
EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.That on JUNE 30TH, 20 09 at 11:10 A.M. at 8 OLD FARM COURT, GLEN HEAD, N.Y. 11545 deponent served the
within Cover Sheet, Arbitration Certificate, Summons in a Civil Case & Complaint on DAVE MAZZOLA witness/
defendant/ respondent/ therein named.

INDIVIDUAL

- A
- ☐
- By personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ.
-
- (A fee of \$ _____, pursuant to CPLR Section 8001 was tendered to the witness.)

CORPORATION

- B
- ☐
- By delivering to and leaving with _____ and that he knew the person so served to be the Managing Agent
-
- of the Corporation, and authorized to accept service. (A fee of \$ _____, pursuant to CPLR Section 8001 was tendered to the witness.)

Service was made in the following manner after your deponent was unable with due diligence to serve the witness/defendant/respondent in person.

SUITABLE AGE PERSON

- C
- ☒
- By delivering a true copy thereof to and leaving with
- MRS. MAZZOLA
- , a person of suitable age and discretion, the said premises being
-
- the witnesses/defendants/respondents (dwelling place), (usual place of abode), (place of business) within the State of New York. (A fee of \$ _____, pursuant
-
- to CPLR Section 8001, was tendered to the witness.)

AFFIXING TO DOOR, ETC.

- D
- ☐
- By affixing a true copy thereof to the door of said premises, the same being the witnesses/defendants/respondents (dwelling place) (usual place of abode) (place
-
- of business) within the State of New York. (A fee of \$ _____, pursuant to CPLR Section 8001, was tendered to the witness.)

MAILING (USE WITH 'C' OR 'D')

- E
- ☒
- On
- JUNE 30TH
- , 20
- 09
- , Deponent completed said service under the last two sections by mailing a copy of the above named Process by First Class
-
- Mail addressed to the witness/defendant/respondent to the above address of service which is witness'/ defendant's/respondent's:

- ☒
- Last known residence
-
- ☐
- Last known place of business (additional endorsement of Personal and Confidential on face of envelope)
-
- ☐
- RPALP 735 An additional mailing by Certified Mail was made to the respondent at the premises sought to be recovered
-
- ☒
- Sent Certificate of Mailing (PS form 3817, Mar., 1989)

PREVIOUS ATTEMPTS (USE WITH 'D')

- F
- ☐
- Deponent previously attempted to serve the above named witness/defendant/respondent on the following dates and times:

DRI. SEC 232 [VOID WITHOUT DESCRIPTION (USE WITH 'A', 'B' & 'C')]

- G
- ☐
- The required notice was legibly printed on the face of the summons. I identified the defendant by a photograph annexed hereto which was provided by the
-
- Plaintiff.

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

- | | | | | | | |
|--|--|--|-------------------------------------|---|---|---|
| <input type="checkbox"/> Male | <input checked="" type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair | <input type="checkbox"/> Red Hair | <input type="checkbox"/> 14-20 Yrs | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs |
| <input checked="" type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 21-35 Yrs | <input checked="" type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100-130 Lbs |
| | <input type="checkbox"/> Yellow Skin | <input checked="" type="checkbox"/> Blond Hair | <input type="checkbox"/> Balding | <input checked="" type="checkbox"/> 36-50 Yrs | <input type="checkbox"/> 5'4" - 5'8" | <input checked="" type="checkbox"/> 131-160 Lbs |
| <input type="checkbox"/> Glasses | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Moustache | <input type="checkbox"/> 51-65 Yrs | <input type="checkbox"/> 5'9" - 6'0" | <input type="checkbox"/> 161-200 Lbs |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Auburn Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> Over 65 Yrs | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs |

Other Identifying Features:

Deponent asked the person spoken to whether the subject was presently in the military service of the United States Government or on active duty in the military service in the State
of New York and was informed he/she was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as
defendant/respondent/witness therein. Your deponent is over the age of 18 years and is not a party to this action.Sworn before me this 30th day of June, 2009Lawrence Galina, Notary Public, State of NEW YORK
No. 01GA5045422, Qualified in Suffolk County
Term Expires June 19, 2011

Please print name below signature

LAWRENCE GALINA

License No. 918909

Notary Public

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI,

Plaintiff,

SUMMONS IN A CIVIL
ACTION

-against-

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA,
DOUG TRANDIK, DAN DMYTRYCK, PAUL
VOHRINGER, and JIM KIRK,

Defendants.

CV-09 2419

WEXLER, J.

ORENSTEIN, M.

To the Above-Named Defendants:

DAN DMYTRYCK
C/O UPS
300 OAK STREET
UNIONDALE, NEW YORK

You are hereby summoned and required to serve upon GENEVIEVE LANE LOPRESTI, ESQ., Attorney at Law, whose address is 219 Mineola Blvd, Suite 2, Mineola, New York, 11501, plaintiff's attorneys, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded within the complaint.

ROBERT C. HEINEMANN

CLERK OF THE COURT


BY DEPUTY CLERK

Dated: Mineola, New York
June 5, 2009

JUN 08 2009

U.S. DISTRICT

COURT EASTERN DISTRICT OF NEW YORK.

GUIDO MAGNONI

Against

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA, DOUG TRANDIAK,
DAN DMYTRYCK, PAUL VOHRINGER, and JIM KIRK.Petitioner(s)
Plaintiff(s)Defendant(s)
Respondent(s)Attorney: Genevieve L. Lopresti, Esq.
Return Date:
Index #: CV-09 2419
Assigned Justice: Wexler/Orenstein
Address of Attorney:
219 MINEOLA BLVD.-STE # 2
MINEOLA, N.Y. 11501
516-741-1211STATE OF NEW YORK: COUNTY OF SUFFOLK ss: LAWRENCE GALINA, THE UNDERSIGNED DEPONENT
BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF
EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.That on JUNE 26TH, 2009 at 3:45 P.M. at 300 OAK STREET, UNIONDALE, N.Y. 11553 deponent served the
within Cover Sheet, Arbitration Certificate, Summons in a Civil Case & Complaint on DAN DMYTRYCK witness /
defendant/ respondent/ therein named.

INDIVIDUAL

- A
- ☐
- By personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ.
-
- (A fee of \$ _____ pursuant to CPLR Section 8001 was tendered to the witness.)

CORPORATION

- B
- ☐
- By delivering to and leaving with _____ and that he knew the person so served to be the Managing Agent
-
- of the Corporation, and authorized to accept service. (A fee of \$ _____ pursuant to CPLR Section 8001 was tendered to the witness.)

Service was made in the following manner after your deponent was unable with due diligence to serve the witness/defendant/respondent in person.

SUITABLE AGE PERSON

- C
- ☒
- By delivering a true copy thereof to and leaving with "
- John Doe
- " Refused to give Name _____, a person of suitable age and discretion, the said premises being
-
- the witnesses/defendants/respondents (dwelling place), (usual place of abode), (place of business) within the State of New York. (A fee of \$ _____ pursuant
-
- to CPLR Section 8001, was tendered to the witness.)

AFFIXING TO DOOR, ETC.

- D
- ☐
- By affixing a true copy thereof to the door of said premises, the same being the witnesses/defendants/respondents (dwelling place) (usual place of abode) (place
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- of business) within the State of New York. (A fee of \$ _____ pursuant to CPLR Section 8001, was tendered to the witness.)

MAILING (USE WITH 'C' OR 'D')

- E
- ☒
- On
- JUNE 29TH
- , 20
- 09
- , Deponent completed said service under the last two sections by mailing a copy of the above named Process by First Class
-
- Mail addressed to the witness/defendant/respondent to the above address of service which is witness / defendant's/respondent's:

- ☐
- Last known residence
-
- ☒
- Last known place of business (additional endorsement of Personal and Confidential on face of envelope)
-
- ☒
- RPALP 735 An additional mailing by Certified Mail was made to the respondent at the premises sought to be recovered
-
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- Sent Certificate of Mailing (PS form 3817, Mar., 1989)

PREVIOUS ATTEMPTS (USE WITH 'D')

- F
- ☐
- Deponent previously attempted to serve the above named witness/defendant/respondent on the following dates and times:

DRL SEC 232 [VOID WITHOUT DESCRIPTION (USE WITH 'A', 'B' & 'C')]

- G
- ☐
- The required notice was legibly printed on the face of the summons. I identified the defendant by a photograph annexed hereto which was provided by the
-
- Plaintiff.

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

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Other Identifying Features:

Deponent asked the person spoken to whether the subject was presently in the military service of the United States Government or on active duty in the military service in the State
of New York and was informed he/she was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as
defendant/respondent/witness therein. Your deponent is over the age of 18 years and is not a party to this action.Sworn before me this 29 day of June, 2009Loretta M. Galina, Notary Public, State of NY
No. 01GA5045422, Qualified in Suffolk County
Term Expires June 19, 2011
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LAWRENCE GALINA
License No. 918909

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI,

Plaintiff,

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CV-09 2419

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA,
DOUG TRANDIAK, DAN DMYTRYCK, PAUL
VOHRINGER, and JIM KIRK,

WEXLER, J.

Defendants.
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ORENSTEIN, M.

To the Above-Named Defendants:

PAUL VOHRINGER
C/O UPS
300 OAK STREET
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You are hereby summoned and required to serve upon GENEVIEVE LANE LOPRESTI, ESQ., Attorney at Law, whose address is 219 Mineola Blvd, Suite 2, Mineola, New York, 11501, plaintiff's attorneys, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded within the complaint.

ROBERT C. HEINEMANN

CLERK OF THE COURT



BY DEPUTY CLERK

Dated: Mineola, New York
June 5, 2009

JUN 08 2009

U. S. DISTRICT COURT EASTERN DISTRICT OF NEW YORK.

GUIDO MAGNONI

Against

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA, DOUG TRANDIAK,
DAN DMYTRYCK, PAUL VOHRINGER, and JIM KIRK.Petitioner(s)
Plaintiff(s)Defendant(s)
Respondent(s)Attorney: Genevieve L. Lopresti, Esq.
Return Date:
Index #: CV-09 2419
Assigned Justice: Wexler/Orenstein
Address of Attorney:
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MINEOLA, N.Y. 11501
516-741-1211STATE OF NEW YORK: COUNTY OF SUFFOLK ss: LAWRENCE GALINA, THE UNDERSIGNED DEPONENT
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- By personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ.
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- (A fee of \$ _____, pursuant to CPLR Section 8001 was tendered to the witness.)

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- By delivering to and leaving with _____ and that he knew the person so served to be the Managing Agent
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- of the Corporation, and authorized to accept service. (A fee of \$ _____, pursuant to CPLR Section 8001 was tendered to the witness.)

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- C
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- By delivering a true copy thereof to and leaving with "John Doe" Refused to give Name _____, a person of suitable age and discretion, the said premises being
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- the witnesses/defendants/respondents (dwelling place), (usual place of abode), (place of business) within the State of New York. (A fee of \$ _____, pursuant
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AFFIXING TO DOOR, ETC.

- D
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- By affixing a true copy thereof to the door of said premises, the same being the witnesses/defendants/respondents (dwelling place) (usual place of abode) (place
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- of business) within the State of New York. (A fee of \$ _____, pursuant to CPLR Section 8001, was tendered to the witness.)

MAILING (USE WITH 'C' OR 'D')

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- On JUNE 29TH, 20 09, Deponent completed said service under the last two sections by mailing a copy of the above named Process by First Class
-
- Mail addressed to the witness/defendant/respondent to the above address of service which is witness/ defendant's/respondent's:

- ☐
- Last known residence
-
- ☒
- Last known place of business (additional endorsement of Personal and Confidential on face of envelope)
-
- ☒
- RPALP 735 An additional mailing by Certified Mail was made to the respondent at the premises sought to be recovered
-
- ☒
- Sent Certificate of Mailing (PS form 3817, Mar., 1989)

PREVIOUS ATTEMPTS (USE WITH 'D')

- F
- ☐
- Deponent previously attempted to serve the above named witness/defendant/respondent on the following dates and times:

DRL SEC 232 [VOID WITHOUT DESCRIPTION (USE WITH 'A', 'B' & 'C')]

- G
- ☐
- The required notice was legibly printed on the face of the summons. I identified the defendant by a photograph annexed hereto which was provided by the
-
- Plaintiff.

A DESCRIPTION OF THE DEFENDANT OR OTHER PERSON SERVED ON BEHALF OF THE DEFENDANT IS AS FOLLOWS:

- | | | | | | | |
|--|--|--|-------------------------------------|---|---|---|
| <input checked="" type="checkbox"/> Male | <input checked="" type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair | <input type="checkbox"/> Red Hair | <input type="checkbox"/> 14-20 Yrs | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs |
| <input type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input checked="" type="checkbox"/> Brown Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 21-35 Yrs | <input type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100-130 Lbs |
| <input type="checkbox"/> Glasses | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blond Hair | <input type="checkbox"/> Balding | <input checked="" type="checkbox"/> 36-50 Yrs | <input type="checkbox"/> 5'4" - 5'8" | <input type="checkbox"/> 131-160 Lbs |
| | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Moustache | <input type="checkbox"/> 51-65 Yrs | <input checked="" type="checkbox"/> 5'9" - 6'0" | <input checked="" type="checkbox"/> 161-200 Lbs |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Auburn Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> Over 65 Yrs | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs |

Other Identifying Features:

Deponent asked the person spoken to whether the subject was presently in the military service of the United States Government or on active duty in the military service in the State
of New York and was informed he/she was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as
defendant/respondent/witness therein. Your deponent is over the age of 18 years and is not a party to this action.

Sworn before me this 29th day of June, 2009

Loretta M. Galina, Notary Public, State of N.Y.
No. 01GA5045422, Qualified in Suffolk County
Term Expires June 19, 2011
LAWRENCE GALINA
License No. 918909

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI,

Plaintiff,

SUMMONS IN A CIVIL
ACTION

-against-

CV-09 2419

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA,
DOUG TRANDIAK, DAN DMYTRYCK, PAUL
VOHRINGER, and JIM KIRK,

Defendants.

WEXLER, J.

To the Above-Named Defendants:

JIM KIRK
C/O UPS
300 OAK STREET
UNIONDALE, NEW YORK

ORENSTEIN, M.

You are hereby summoned and required to serve upon GENEVIEVE LANE LOPRESTI, ESQ., Attorney at Law, whose address is 219 Mineola Blvd, Suite 2, Mineola, New York, 11501, plaintiff's attorneys, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded within the complaint.

ROBERT C. HEINEMANN

CLERK OF THE COURT



BY DEPUTY CLERK

Dated: Mineola, New York
June 5, 2009

JUN 08 2009

U.S. DISTRICT COURT, EASTERN DISTRICT OF NEW YORK

GUIDO MAGNONI

Petitioner(s)
Plaintiff(s)

Against

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA, DOUG TRANDIAK,
DAN DMYTRYCK, PAUL VOHRINGER, and JIM KIRK,Defendant(s)
Respondent(s)Attorney: Genevieve L. Lopresti, Esq.
Return Date:
Index #: CV-09 2419
Assigned Justice: Wexler/Orenstein
Address of Attorney:
219 MINEOLA BLVD.-STE # 2
MINEOLA, N.Y. 11501
516-741-1211STATE OF NEW YORK: COUNTY OF SUFFOLK ss: LAWRENCE GALINA, THE UNDERSIGNED DEPONENT
BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF
EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.That on JUNE 26TH, 20 09 at 3:45 P.M. at 300 OAK STREET, UNIONDALE, N.Y. 11553 deponent served the
within Cover Sheet, Arbitration Certificate, Summons in a Civil Case & Complaint on JIM KIRK witness /
defendant/ respondent/ therein named.

INDIVIDUAL

- A
- ☐
- By personally delivering to and leaving with said individual, and that he knew the person so served to be the person mentioned and described in said writ
-
- (A fee of \$ _____ pursuant to CPLR Section 8001 was tendered to the witness.)

CORPORATION

- B
- ☐
- By delivering to and leaving with _____ and that he knew the person so served to be the Managing Agent
-
- of the Corporation, and authorized to accept service. (A fee of \$ _____ pursuant to CPLR Section 8001 was tendered to the witness.)

Service was made in the following manner after your deponent was unable with due diligence to serve the witness/defendant/respondent in person.

SUITABLE AGE PERSON

- C
- ☒
- By delivering a true copy thereof to and leaving with "John Doe" Refused to give Name _____, a person of suitable age and discretion, the said premises being
-
- the witnesses/defendants/respondents (dwelling place), (usual place of abode), (place of business) within the State of New York. (A fee of \$ _____ pursuant
-
- to CPLR Section 8001, was tendered to the witness.)

AFFIXING TO DOOR, ETC.

- D
- ☐
- By affixing a true copy thereof to the door of said premises, the same being the witnesses/defendants/respondents (dwelling place) (usual place of abode) (place
-
- of business) within the State of New York. (A fee of \$ _____ pursuant to CPLR Section 8001, was tendered to the witness.)

MAILING (USE WITH 'C' OR 'D')

- E
- ☒
- On
- JUNE 29TH
- , 20
- 09
- , Deponent completed said service under the last two sections by mailing a copy of the above named Process by First Class
-
- Mail addressed to the witness/defendant/respondent to the above address of service which is _____ witness/ defendant's/respondent's:

- ☐
- Last known residence
-
- ☒
- Last known place of business (additional endorsement of Personal and Confidential on face of envelope)
-
- ☒
- RPALP 735 An additional mailing by Certified Mail was made to the respondent at the premises sought to be recovered
-
- ☒
- Sent Certificate of Mailing (PS form 3817, Mar., 1989)

PREVIOUS ATTEMPTS (USE WITH 'D')

- F
- ☐
- Deponent previously attempted to serve the above named witness/defendant/respondent on the following dates and times:

DRL SEC 232 [VOID WITHOUT DESCRIPTION (USE WITH 'A', 'B' & 'C')]

- G
- ☐
- The required notice was legibly printed on the face of the summons. I identified the defendant by a photograph annexed hereto which was provided by the
-
- Plaintiff.

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- | | | | | | | |
|--|--|--|-------------------------------------|---|---|---|
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| <input type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input checked="" type="checkbox"/> Brown Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 21-35 Yrs | <input type="checkbox"/> 5'0" - 5'3" | <input type="checkbox"/> 100-130 Lbs |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blond Hair | <input type="checkbox"/> Balding | <input checked="" type="checkbox"/> 36-50 Yrs | <input type="checkbox"/> 5'4" - 5'8" | <input type="checkbox"/> 131-160 Lbs |
| <input type="checkbox"/> Glasses | <input type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Moustache | <input type="checkbox"/> 51-65 Yrs | <input checked="" type="checkbox"/> 5'9" - 6'0" | <input checked="" type="checkbox"/> 161-200 Lbs |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Auburn Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> Over 65 Yrs | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs |

Other Identifying Features:

Deponent asked the person spoken to whether the subject was presently in the military service of the United States Government or on active duty in the military service in the State
of New York and was informed he/she was not. Your deponent further says that he knew the person so served to be the person mentioned and described in said legal papers as
defendant/respondent/witness therein. Your deponent is over the age of 18 years and is not a party to this action.Sworn before me this 29 day of June, 20 09Loretta M. Galina, Notary Public, State of NY
No. 01GA5045422, Qualified in Suffolk County
Term Expires June 19, 2011

Please print name below signature

LAWRENCE GALINA

License No. 918909

*file
all*

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

GUIDO MAGNONI,

Plaintiff,

SUMMONS IN A CIVIL
ACTION

-against-

UNITED PARCEL SERVICE, INC., DAVE MAZZOLA,
DOUG TRANDIAK, DAN DMYTRYCK, PAUL
VOHRINGER, and JIM KIRK,

Defendants.
_____x

CV-09 2419

**WEXLER, J.
ORENSTEIN, M.**

To the Above-Named Defendants:

DOUG TRANDIAK
C/O UPS
300 OAK STREET
UNIONDALE, NEW YORK

You are hereby summoned and required to serve upon GENEVIEVE LANE LOPRESTI, ESQ., Attorney at Law, whose address is 219 Mineola Blvd, Suite 2, Mineola, New York, 11501, plaintiff's attorneys, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded within the complaint.

ROBERT C. HEINEMANN

CLERK OF THE COURT

Robert C. Heinemann

BY DEPUTY CLERK

Dated: Mineola, New York
June 5, 2009

JUN 08 2009